



Certified Professional Guardianship Board

Monday, June 11, 2018
SeaTac Office Center – So. Tower
18000 International Blvd, Suite 1106
SeaTac, WA 98188
9:00 a.m. – 2:00 p.m.

Meeting Minutes

Members Present

Judge James Lawler, Chair
Commissioner Rachelle Anderson
Judge Gayle Harthcock
Mr. William Jaback
Ms. Victoria Kesala
Commissioner Diana Kiesel
Dr. K. Penney Sanders
Ms. Barbara West
Ms. Amanda Witthauer

Staff

Mr. Ramsey Radwan, Director, AOC
Ms. Stacey Johnson
Ms. Kathy Bowman
Ms. Jennifer Holderman
Ms. Carla Montejo
Ms. Kim Rood
Ms. Eileen Schock

Guests: see last page

Members Absent

Ms. Rosslyn Bethmann
Dr. Barbara Cochrane
Mr. Jerald Fireman

1. Meeting Called to Order

Certified Professional Guardianship Board Chair Judge James Lawler called the June 11, 2018 meeting to order at 9:05 a.m.

2. Chair's Report

a. Approval of Minutes

Motion: A motion was made and seconded to approve the May 14, 2018 minutes as written. The motion passed.

b. Board Membership and Committees

Judge Lawler announced the Supreme Court has appointed Commissioner Rachelle Anderson as new Chair of the Board effective October 2018. Judge Lawler's term with the Board ends September 2018.

Staff reported that Board member Annette Cook, representing the Department of Social and Health Service (DSHS), stepped down effective June 1. DSHS has nominated Rita Forster as Ms. Cook's replacement on the Board. Also reported, it is still unknown when Board member Jerry Fireman will be able to return to the Board.

New Standing Committee assignments were announced as follows:

- Barbara West has agreed to serve on the Standards of Practice Committee (SOPC). At the time current SOPC Chair Commissioner Anderson assumes the role of CPG Board Chair, Barbara West will serve as SOPC Chair.
- Victoria Kesala has agreed to serve as Chair of the Application/Certification Committee;
- Rita Forster (August, 2018) and Judge Grant Blinn (October, 2018) have been asked to serve on the SOP Committee.

c. Biennial Budget Update

Judge Lawler asked Ramsey Radwan, AOC Director of Management Services, to update the Board regarding the budget. Mr. Radwan mentioned that current budget work is for the next biennium, beginning July 2019. The Board was provided a link to the Draft 2019-2021 Judicial Branch Budget Request. Presentations have been made to the Supreme Court budget committee and funding recommendations will be brought to the Supreme Court in October. Funding for the Office of Public Guardianship is supported by the Supreme Court and AOC, but must also get legislative support. Mr. Radwan invited letters to legislators be written through him.

3. Public Comment

Karen Newland, representing Puget Sound Guardians and Washington Association of Professional Guardians (WAPG), presented CPG feedback that was collected by WAPG's spring conference questionnaire, and a letter to the CPG Board from WAPG President Gary Beagle, announcing WAPG has approved the establishment of an advisory board for the purpose of providing input to the CPG Board and AOC staff.

4. Memo regarding Washington Association of Professional Guardians (WAPG)

Concerns and recommendations previously presented by Mr. Gary Beagle, President of Washington Association of Professional Guardians, were addressed by staff. One concern identified by WAPG is the apparent lack of CPGs who are willing to serve for indigent or low income persons. Staff answered that when a request for guardian is received by this office all CPG's are notified by inclusion in an email listserv. Of the approximately 83 requests sent through the listserv during the past year, only 14 requestors reported being unable to locate a guardian. For those unable to locate a guardian, contributing factors were identified as locations in areas of the state with few or no CPGs, many CPGs are already at maximum caseloads, and the maximum number of cases a Public Guardian is allowed is limited to 20.

Another concern raised by WAPG is CPG's frustration with the grievance process, and the time it takes for Guardian Grievance Investigators to complete grievance investigations. It was acknowledged the frustration is understandable, but this Board does not have the authority to give oversight to another agency. The establishment of an advisory board at WAPG is seen as a great opportunity to increase understanding between CPGs and the CPG Board.

5. Dispute Resolution Contract

Staff reported that the mediation agreement with the Dispute Resolution Center has been renewed. The mediation process is not intended to be considered disciplinary, but rather for use when appropriate to resolve a grievance. Staff will work on retooling the message in order to clear up any misunderstandings by CPGs. The renewed contract is for up to 12 mediations during the contract year. During the past contract year, one mediation was accepted which did resolve the complaint.

6. Education Committee

Bill Jaback advised the Board that the Education Committee has agreed to begin meeting monthly in order to work on issues that have been raised by UW Continuum College and others.

Following a status meeting with the UW Advisory Committee and Kate Lorenzen, it was announced long time instructor Leesa Arthur is resigning her position at the end of the current training session. The UW has posted the open position. Applicants should have a minimum of five years as a practicing Certified Professional Guardian, or be recently retired from the profession. The position is part-time and pays \$3,500 per quarter. Mr. Jaback mentioned he knows of certain CPGs who may be interested.

Direct feedback continues to be difficult to collect from UW Continuum College students. It is apparent not all graduates are moving into active practice after completion of the course. A question is why some students drop out midway through the course. A possible reason suggested was the UW has increased its emphasis on the business aspect of the work at the beginning of the course, providing a realistic view of what is required of a CPG. This may not be the professional outlook and/or outcome expected by the student.

The Education Committee is acting proactively in its evaluation of the current program and its goal is to reduce barriers to certifying more CPGs. A question was asked about what could be done to expand training to reach other parts of the state. Even if the program were able to expand, the contract the CPG Board has with UW is exclusive and no other agency can be given authority to provide the Certification Program. Marketing could be focused on bringing more CPGs to the program, however, UW has limited capacity of 35-40 students per session. There are two years remaining on the current contract with UW Continuum College. This is a solid program, but other interested provider proposals have been received and the Education Committee has agreed to review proposals as like-to-like as far as standards, thresholds for success and access to students statewide. The Committee's position is that this must be very carefully evaluated, and if moving to another certification program is seriously considered, a request for proposals should go out.

Other questions regarding the certification program were regarding the time commitment, the cost of the program, and determining whether the program is too vigorous, or not vigorous enough. The initial two-day training has grown to what some consider an inaccessible eight-month commitment. It does not appear that the Certification Program has reduced the number of grievances. Mr. Radwan asked who made the decision to increase the program, the Board or UW? Dr. Sanders responded that rather than looking at the program, the UW simply added on to address requests from the Board. Another board member suggested there be an alternative to the education component, and perhaps real experience could be transferrable.

Jennifer Holderman, Training Coordinator, has been tasked by the recent passage of HB 1402 with designing a training program around Title 11 guardians and substitute decision makers, their duties and responsibilities, and remedial measures. The first webinar has already been presented to the legal community, attorneys and guardian monitoring programs. The next training module will address Powers of Attorney and will help define when it may be appropriate to isolate. The webinar trainings will be made available to CPGs, initially for General credit. January 2019 will be the beginning of the next reporting period for continuing education credit and the training could potentially be approved as a topic for Emerging Issue credit.

Karen Newland remarked that WAPG hosts two conferences annually and Ms. Holderman was invited to present at their next conference. Dr. Sanders also mentioned the need to begin thinking about working with Tribal Courts.

7. Grievance Status Report

Staff reported 11 new grievances were received and five grievances were closed in the month of May. Three of the new grievances did not involve a CPG and were immediately dismissed for no jurisdiction. Two grievances were brought to the Standards of Practice Committee and were dismissed for no actionable conduct.

Of the 153 currently unresolved grievances, 13 cases are pending:

- Five grievances are anticipated for closure when the CPG completes a Voluntary Surrender in lieu of discipline.
- An Agreement Regarding Discipline is likely to resolve four (potentially seven) grievances.
- A Hearing held this month is expected to resolve four grievances.

8. Break for Working Lunch

9. Executive Session (Closed to Public)

10. Reconvene and Vote on Executive Session (Open to Public)

Applications:

On behalf of the Applications Committee, Barbara West presented the following applications for Certified Professional Guardian Certification. Members of the Applications Committee abstained.

Motion: *A motion was made and seconded to approve Nadifa Dahir's application for certification, with transferrable skills in Social Services. The motion passed.*

Motion: *A motion was made and seconded to conditionally approve Erin Stevens' application for certification, with transferrable skills in Social Services, upon completion of the UW Certification Program. Victoria Kesala abstained. The motion passed.*

10. Wrap Up and Adjourn

Board members were reminded this was the last in-person meeting to be attended by Judge Gayle Harthcock and Judge James Lawler. There will be no Board meeting held in July. The next CPG Board meeting will be held via Teleconference on Monday, August 13. With no other business to discuss, the meeting was adjourned at 12:25 pm.

Recap of Motions from June 11, 2018

Motion Summary	Status
Motion: <i>A motion was made and seconded to approve the May 14, 2018 minutes as written.</i>	Passed
Motion: <i>A motion was made and seconded to approve Nadifa Dahir's application for certification, with transferrable skills in Social Services.</i>	Passed
Motion: <i>A motion was made and seconded to conditionally approve Erin Stevens' application for certification, with transferrable skills in Social Services, upon completion of the UW Certification Program. Victoria Kesala abstained.</i>	Passed

Guests:

Karen Newland

James Michel